

MINUTES

FOR THE

ATTORNEY REGULATION ADVISORY COMMITTEE

Tuesday, June 12, 2018

2:00 p.m. – 4:00 p.m.

State Courts Building, 1501 West Washington Street, Phoenix, Arizona
Conference Room 109

Present

Justice Ann A. Scott Timmer
Lisa Panahi
George Riemer
Maret Vessella
Hon. Lawrence Winthrop
Hon. Margaret Downie
Hon. William J. O'Neil
David Lunn

Telephonically Present

James Belanger
Patricia Sallen
Elaine Sweet

Absent

Bennie Click
Pamela Treadwell-Rubin
Maria Hubbard
Edward Novak
J. Scott Rhodes
Whitney Cunningham
Ronald R. Watson

Staff

Mark Wilson
Kathy Curry
Carol Mitchell
Kate Novak
Tara Smith

Regular Business

2:00 p.m. Call to Order, Welcome and Introductions

Justice Ann A. Scott Timmer

Justice Ann. A. Scott Timmer welcomed the newest Committee member, Hon. Margaret Downie.

Justice Ann. A Scott Timmer informed the Committee that Illinois is now a U.B.E. state.

Business Items and Potential Action Items

No. 1 Review and Approve May 9, 2018 Committee minutes

Justice Timmer suggested all references to "June 6th meeting" be referred to as "next meeting."

Motion: Approve May 9, 2018 Committee minutes pending correction.

Moved by: Hon. William J. O'Neil

Second: Maret Vessella

Carried: None opposed.

- No. 2* Update on Comments filed for Proposed Rule Change Petitions *Staff*
- Kate Novak presented. All comments previously approved by the Committee were filed timely.
- No. 3* Discussion and Possible Action on Proposed Rule Change Petition Comments: *Staff*
- o [R-17-0035](#) Amend Rule 49 regarding posting of probation on State Bar website *George Riemer*
- George Riemer presented his revision of the proposed comment including the extensive discussion regarding the petition.
- Maret Vessella provided information regarding the State Bar's filed comment.
- Hon. Lawrence Winthrop, James Belanger, Elaine Sweet, Patricia Sallen, Hon. William J. O'Neil and George Riemer provided additional discussion regarding further study of the issue.
- Justice Ann A. Scott Timmer suggested to add language that the Committee recommends denial of the petition and further study, but in the alternative would support the State Bar's recommendation in its comment.
- Motion:** Accept and file the comment adding language that the Committee recommends denial of the petition and further study, but in the alternative to the study, would support the State Bar's recommendation and the State Bar's filed comment. As a second option, accept the alternative as stated in proposed comment.
- Moved by:** Hon. Lawrence Winthrop
- Second:** Hon. William J. O'Neil
- Carried:** Motion passes. Patricia Sallen and Maret Vessella opposed.
- No. 4* Proactive Management Based Regulation *Maret Vessella*
- Maret Vessella presented Proactive Management Based Regulation, a proposal which would, through attorney self-assessment, identify regulatory issues which may require more resources as a means of reducing reactive disciplinary measures.
- The Committee discussed.
- Justice Ann A. Scott Timmer proposed a subcommittee to begin looking into this. James Belanger agreed to head the subcommittee. Maret Vessella, Hon. Margaret Downie, David Lunn, and Lisa Panahi offered to serve on the subcommittee.
- No. 5* Subcommittee Update and possible action on Proposed Rule Amendments:
- o Rule 34 Admission on Motion – Active Practice Determination and Application Process
 - o No report.
 - o Rule 35 Examination Requirements – Permission to Write and Accommodation Requests
 - o David Lunn provided an update.

- Rule 38 Foreign Legal Consultant
 - Maret Vessella provided an update.
- Rule 38 Military Spouse Admission – AZ UBE Failure, Eligibility and Fees
 - No report.
- Rule 49 Proposed Petition Regarding Discipline Information
 - No report and note the subcommittee could be eliminated.

No. 6 New Business

Hon. Ann A. Scott Timmer

Justice Ann A. Scott Timmer reiterated final meeting dates for 2018.

No. 7 Call to Public

Hon. Ann A. Scott Timmer

Hon. William J. O'Neil introduced his extern.

**Remaining 2018 Meeting Dates:
September 26, and December 12.**

Adjourned: 3:32